



Policy Brief No. 7
2010

The Filipino child

Global study on child poverty and disparities: Philippines

Introduction

Based on UNICEF's definition,¹ child protection pertains to "preventing and responding to violence, exploitation, and abuse against children." More specifically, it encompasses all processes, policies, programs, interventions, and measures that aim to prevent and respond to violence, exploitation, and abuse against children, with the ultimate goal of ensuring the overall development of children to their fullest potential.

The United Nations Convention on the Rights of the Child (CRC) stipulates that every child has the right to protection from all forms of violence, abuse, neglect, and exploitation. The first law enacted in compliance with the mandate of the CRC is Republic Act (RA) 7610 of 1992 (Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act), otherwise known as the "Child Protection Law." Such law provides for stronger deterrence and special protection against child abuse, exploitation and discrimination, and its corresponding penalties.

It should be noted, however, that the Philippine government's conscious effort to protect the rights of children dates back as early as 1935, as reflected in the Constitution at that time. In 1974, then President Ferdinand E. Marcos promulgated Presidential Decree (PD) 603 or "The Child and Youth Welfare Code" which codifies laws on the rights of children and the corresponding sanctions in case these rights are violated.

PD 603's Article 205 created the Council for the Welfare of Children (CWC) to act as the lead agency in coordinating the formulation, implementation, and enforcement of all policies, programs, and projects for the survival, development, protection, and

Localizing child protection: does the Local Council for the Protection of Children matter?

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participation of children. In addition, Article 87 of the same PD states that "every barangay council shall encourage the organization of a Local Council for the Protection of Children (LCPC) and shall coordinate with the CWC in drawing and implementing plans for the promotion of child and youth welfare."

The Department of the Interior and Local Government (DILG) is mandated to oversee the organization and functionality of the LCPC. In this regard, the DILG issued memorandum circulars (MCs) that enjoin all "local government chief executives (LCEs) to organize/reorganize provincial, city, municipal, and barangay Council for the Protection of Children (CPC) and take the lead in the implementation of all children's programs in their respective localities."

The MCs point out the need to organize/reorganize the LCPC in all levels of local government units (LGUs) to ensure the synchronization and integration of policies, programs, and projects

for children. There is also a need to strengthen the LCPCs for the efficient and effective implementation of all policies, programs, and projects for the well-being of children. In sum, "the LCPC shall be responsible for planning and spearheading programs for children in the locality with the end in view of making the locality child-friendly." Notwithstanding the various MCs, however, not all LGUs heeded and responded to the DILG's call.

LGUs' response

Based on data from the National Barangay Operations Office (NBOO) of the DILG, as of September 2009, seven Municipal Councils for the Protection of Children and 97 Barangay Councils for the Protection of Children have yet to be organized (see footnote of Table 1). Moreover, not all organized and existing LCPCs are operational and functional. Functional LCPCs are those that meet regularly and have minutes of meetings, have an action plan and approved budget for children, and submit annual reports on children. Such

¹ From UNICEF's Child Protection Information Sheets.

LCPCs are normally categorized based on DILG-set criteria.² Field officers of the DILG monitor the functionality of the LCPCs for the previous year every first quarter of the current year.

DILG evaluation results as of September 2009 show that out of 69 P/HUC CPCs which submitted the required documents, only 82.6 percent are considered functional. The proportion of functional LCPCs to the total number of evaluated LCPCs is much lower, i.e., 67.5 percent, at the municipal level and more so, at the barangay level with only 52.2 percent functional BCPCs (Table 1). Quite a number of LCPCs have also not yet been evaluated because of nonsubmission of required documents.

Does the LCPC really matter?

The various DILG MCs emphasize the importance of the LCPC. In general, the LCPC is crucial in sustaining the national efforts in the localization of the Philippine National Strategic Framework for Plan Development for Children or Child 21, which is a roadmap for planning programs and interventions meant to promote and safeguard the rights of Filipino children.

Moreover, with the passage of RA No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, the LCPC plays a key role in the protection of children, particularly in coordinating with and assisting the LGUs in the formulation of a comprehensive plan on juvenile delinquency prevention and in the oversee of its proper implementation.

Inarguably, the LCPC really matters but its current status in the country does not quite show it. Evidently, the big challenge is how to convince all LGUs to organize their own LCPC and, more importantly, how to encourage them to activate, strengthen, and sustain the already organized LCPCs. Factors that hinder LGUs from organizing/reorganizing and strengthening the existing LCPCs should be addressed.

These factors include the functional indicators of LCPC, to wit:

Table 1. Status of Local Councils for the Protection of Children, as of September 2009

Governance Level	No. of LGUs	No. of LCPC Evaluated ¹	Functional ² LCPC	% to LCPC Evaluated
Provinces/HUC ³	107	69	57	82.61
Cities (CC/ICC) ⁴	87	66	55	83.33
Municipalities	1,397	1,064	718	67.48
Barangays	39,535	30,731	16,041	52.20

Note: Covered year - CY 2008 (excluding ARMM with 6 provinces, 1 component city, 114 municipalities, and 2,473 barangays)/Number of LCPC yet to be organized - 7 MCPC and 97 BCPC.

¹ Based on submitted required forms to DILG. (Note: Some LCPCs have no submission yet as of September 2009.)

² According to Dr. Raffiñan, functional LCPCs are those LCPCs which are categorized as mature and ideal.

³ HUC - highly urbanized cities.

⁴ CC/ICC - component cities/independent chartered cities.

Source: National Barangay Operations Office (NBOO), Department of the Interior and Local Government.

- Organization - the LCPC must be organized through a Sangguniang Panlalawigan/Panlungsod/Bayan resolution/ordinance or through an LCE's Executive/Administrative Order;
- Meetings - the LCPC shall conduct regular quarterly meetings and special meetings as the need arises;
- Policies, plans, and budget - the LCPC shall formulate and recommend policies and plans concerning child survival, development, protection, and participation. Upon recommendation of their respective LCPCs, LGUs shall provide funding for programs/projects/activities (PPAs) on children and ensure that these are implemented. In this sense, the LCPCs' Annual Work and Financial Plan (AWFP) shall be incorporated in the Local Development Investment Plan/Annual Investment Plan; and
- Accomplishments - the LCPC shall submit an annual accomplishment report, which shall be reflected in the LGU Annual Report and also included in the State of Local Address (SOLA).

Apparently, all these factors spell additional responsibility for the LGUs,

which may add strain to their limited resources. Still, though, the LGUs should be constantly reminded that the well-being of the nation's future human capital is at stake. □

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² Based on telephone interview with Dr. Reinelda Raffiñan, Division Chief of NBOO, DILG.